

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO**

<b>UNITED STATES OF AMERICA,</b>	)	<b>CASE NO. 1:07CR352</b>
	)	
<b>PLAINTIFF</b>	)	<b>JUDGE PETER C. ECONOMUS</b>
	)	
<b>V.</b>	)	
	)	
<b>EDWIN RIVERA,</b>	)	<b>MEMORANDUM OPINION</b>
	)	<b>AND ORDER</b>
<b>DEFENDANT.</b>	)	
	)	

This matter is before the Court upon Magistrate Judge McHargh' Report and Recommendation that the Court ACCEPT Defendant Edwin Rivera's ("Defendant") plea of guilty and enter a finding of guilty against Defendant. (Dkt. # 18).

On June 19, 2007, the government filed an indictment against Defendant. (Dkt. # 1). On October 3, 2007, this Court issued an order assigning this case to Magistrate Judge Kenneth S. McHargh for the purpose of receiving Defendant's guilty plea. (Dkt. # 14).

On October 22, 2007, a hearing was held in which Defendant entered a plea of guilty to Count 1 of the indictment, mail theft, in violation of 18 U.S.C. § 1708. Magistrate Judge McHargh received Defendant's guilty plea and issued a Report and Recommendation ("R&R") recommending that this Court accept the plea and enter a finding of guilty. (Dkt. # 18).

Neither party objected to the Magistrate Judge's R&R in the ten days after it was issued.

On *de novo* review of the record, the Magistrate Judge's R&R is adopted. The Defendant was found to be competent to enter a plea. The Defendant understood his constitutional rights. He is aware of the consequences of entering a plea. There is an adequate factual basis for the plea. The Court finds that the plea was entered knowingly, intelligently, and voluntarily. The Defendant's plea of guilty is approved.

Therefore, the Defendant is adjudged guilty of Counts 1 in violation of 18 U.S.C. §1708. The sentencing will be held on January 15, 2008, at 10:00 a.m.

**IT IS SO ORDERED.**

/s/ Peter C. Economus - November 2, 2007  
**PETER C. ECONOMUS**  
**UNITED STATES DISTRICT JUDGE**